THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No. 15168 OF 2006
DATED: 21.07.2006

BETWEEN:

1. R.L. Narasimha and
another

….Petitioners

And

The Municipal Corporation of Hyderabad
Rep., by its Commissioner, Tank Bund Road,
Hyderabad. ….Respondent

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No. 15168 OF 2006

ORDER:

Heard both the Counsel.

The writ petition is filed praying for a writ of Mandamus declaring the notice No.0867/UC/CSC/TP7/2003, dated 12.7.2006 issued by the respondent-corporation directing removal of constructions of the building in premises No.6-1-190/17, situated in Padmarao Nagar, Secunderabad and threatening to remove or pull down the same as illegal, arbitrary and contrary to the provisions of Section 452 of the Hyderabad Municipal Corporation Act, 1955 and violative of principles of natural justice and also Article 14 of the Constitution of India and to pass such other suitable orders.

It is stated that even the notice was addressed to a dead person. Whatever the reasons may be, straight away passing such orders without issuing show cause notice in the opinion of this Court cannot be sustained.

Inasmuch as it is stated that the notice had been served on the dead person, this notice shall be treated as show cause notice issued to the petitioner and the petitioner shall submit his objections within a period of two weeks from today. The respondent shall consider such objections and pass appropriate orders. Till then, the respondent is

directed not to take any further steps in relation to the demolition of subject matter of the writ petition.

With the above direction, the writ petition is disposed of. No order as to costs.

_____

21st July, 2006

Nn.